

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

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:  
PDV USA, INC.,  
:  
Plaintiff,  
:  
v. Case No. 20-cv-3699  
:  
INTERAMERICAN CONSULTING INC.,  
:  
Defendant.  
:  
- - - - -X

**DECLARATION OF BRADY M. SULLIVAN**

I, Brady M. Sullivan, hereby declare as follows:

1. I am an attorney at the law firm Willkie Farr & Gallagher LLP (“Willkie”) and an attorney of record for plaintiff PDV USA, Inc. (“PDV USA”) in this litigation. Unless otherwise indicated, I have personal knowledge of the matters set forth herein and would be competent to testify to those matters if called upon to do so.

2. With respect to PDV USA’s Memorandum of Law in Support of its Motion for Sanctions, attached to this declaration are true and correct copies of the following documents:

- a) Exhibit 1: Mobile message bearing bates number Rivera007424.
- b) Exhibit 2: Selected mobile messages from document bearing bates number Rivera007616.
- c) Exhibit 3: Mobile messages bearing bates number DOJ-RIVERA-00002043.
- d) Exhibit 4: *PDV USA, Inc. v. Interamerican Consulting, Inc.*, 20-cv-3699 (S.D.N.Y.), Excerpts of Transcript of Day 1 of Deposition of David Rivera (July 26, 2022).

- e) Exhibit 5: *PDV USA, Inc. v. Interamerican Consulting, Inc.*, 20-cv-3699 (S.D.N.Y.), Excerpts of Transcript of Day 2 of Deposition of David Rivera (July 27, 2022).
- f) Exhibit 6: Defendant's Response to Plaintiff's Fourth Set of Interrogatories (April 4, 2022).
- g) Exhibit 7: Defendant's Response to Plaintiff's Sixth Set of Interrogatories (May 24, 2024).
- h) Exhibit 8: *PDV USA, Inc. v. Interamerican Consulting, Inc.*, 20-cv-3699 (S.D.N.Y.), Declaration of David Rivera (May 13, 2024).
- i) Exhibit 9: Document titled "Contract for Services" bearing bates number IYM Supplemental Response 000289.
- j) Exhibit 10: Document titled "Contract for Services" bearing bates number IYM Supplemental Response 000290.
- k) Exhibit 11: Document titled "Contract for Services" bearing bates number IYM Supplemental Response 000288.
- l) Exhibit 12: Email dated March 21, 2017 bearing bates number PGA0054.
- m) Exhibit 13: Email dated December 8, 2017 bearing bates number PGA0074.
- n) Exhibit 14: Email dated May 29, 2017 bearing bates number PGA0082.
- o) Exhibit 15: Email dated November 29, 2017 bearing bates number PGA0104.
- p) Exhibit 16: Email dated December 7, 2017 bearing bates number LYKKEBAK0000000032.
- q) Exhibit 17: Emails Between Andrew Domingoes, Brady Sullivan, and Jason Johnson, dated July 19, 2022 to July 21, 2022.
- r) Exhibit 18: Defendant's Response to Plaintiff's Fifth Set of Interrogatories (September 15, 2022).
- s) Exhibit 19: *United States v. David Rivera and Esther Nuhfer*, No. 22-20552-CR-MD (S.D.N.Y.), Indictment (November 17, 2022).

- t) Exhibit 20: *PDV USA, Inc. v. Interamerican Consulting, Inc.*, 20-cv-3699 (S.D.N.Y.), Excerpts of Hearing Transcript (January 3, 2023).
- u) Exhibit 21: *United States v. David Rivera and Esther Nuhfer*, No. 22-20552-CR-MD (S.D.N.Y.), Government's Petition for Court Authorization to Produce Documents in Response to Subpoena Issued in Pending Civil Case (April 18, 2024).
- v) Exhibit 22: *PDV USA, Inc. v. David Rivera*, 24-cv-20456 (S.D. Fla.), David Rivera's Response in Opposition to PDV USA's Second Motion to Compel (April 5, 2024).
- w) Exhibit 23: *PDV USA, Inc. v. David Rivera*, 24-cv-20456 (S.D. Fla.), Order Granting Motions to Compel Respondent's Compliance with Subpoena to Produce Documents (May 6, 2024).
- x) Exhibit 24: *PDV USA, Inc. v. David Rivera*, 24-cv-20456 (S.D. Fla.), Hearing Transcript (April 19, 2024).
- y) Exhibit 25: PDV USA's Second *Touhy* request related to *PDV USA, Inc. v. Interamerican Consulting, Inc.*, No: 1:20-cv-03699-JGK-RWL, sent to the Department of Justice on May 29, 2024.
- z) Exhibit 26: Email dated April 10, 2017 bearing bates number Rivera000024.
- aa) Exhibit 27: Mobile messages bearing bates number Rivera007383.
- bb) Exhibit 28: Email dated March 20, 2017 bearing bates number DOJ-RIVERA-00002033.
- cc) Exhibit 29: Email dated December 31, 2017 bearing bates numbers PDVUSA\_00000302.
- dd) Exhibit 30: Mobile messages dated June 22, 2017.
- ee) Exhibit 31: Mobile messages bearing bates number DOJ-RIVERA-00002027.
- ff) Exhibit 32: Email dated May 31, 2017 bearing bates number Rivera000108.
- gg) Exhibit 33: Plaintiff's First Request for Production to Defendant (September 15, 2021).
- hh) Exhibit 34: Email dated March 7, 2017 bearing bates number DOJ-RIVERA-00002008.

- ii) Exhibit 35: Email dated March 31, 2017 bearing bates number DOJ-RIVERA-00002004.
- jj) Exhibit 36: Email dated April 21, 2017 bearing bates number Rivera001212.
- kk) Exhibit 37: Selected mobile messages from document bearing bates number Rivera007979.
- ll) Exhibit 38: Plaintiff's Sixth Set of Interrogatories to the Defendant (March 25, 2024).
- mm) Exhibit 39: Selected mobile messages from document bearing bates numbers Rivera007593.
- nn) Exhibit 40: Defendant's Amended Response to Plaintiff's Contention Interrogatories (July 5, 2022).
- oo) Exhibit 41: Defendant's Response to Plaintiff's First Set of Interrogatories (February 14, 2022).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: July 17, 2024

/s/ Brady M. Sullivan  
Brady M. Sullivan